

Message Text

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FOR DEPUTY ASSISTANT SECRETARY JULIUS L. KATZ

FOLLOWING REPEAT OTTAWA 4151 ACTION SECSTATE INFO CALGARY
VANCOUVER 5 NOV

QUOTE

UNCLAS OTTAWA 4151

E.O. 11652: N/A

TAGS: ENRG, CA

SUBJECT; NATIONAL ENERGY BOARD HEARING ON NORTHERN GAS PIPELINE
APPLICATIONS

REF: OTTAWA 4076

1. CONTRARY TO EXPECTATIONS, NATIONAL ENERGY BOARD (NEB) WAS
UNABLE TO OBTAIN AN EARLY NOVEMBER HEARING BY THE FEDERAL COURT
OF APPEAL ON THE CHALLENGE BY PUBLIC INTEREST GROUPS TO NEB
CHAIRMAN CROW'S PARTICIPATION IN THE NORTHERN GAS PIPELINES
HEARING. INSTEAD, FEDERAL COURT HEARING WILL TAKE PLACE ON
DECEMBER 8 AND IT APPEARS POSSIBLE THAT A RULING MIGHT NOT BE
HANDED DOWN UNTIL AFTER THE CHRISTMAS AND NEW YEAR'S HOLIDAYS.
IT IS ALSO CONCEIVABLE THAT THE DECISION WILL BE FURTHER
APPEALED TO THE SUPREME COURT OF CANADA, THUS LEAVING CROWE'S
POSITION IN THE PIPELINE HEARING AMBIGUOUS FOR YET A LONGER
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PERIOD OF TIME. THE DEADLINE FOR FILING ADVANCE EVIDENCE AND

ARGUMENTS WITH THE FEDERAL COURT IS NOVEMBER 19 FOR PARTIES
OPPOSED TO CROWE'S HEARING PANEL PRESENCE AND NOVEMBER
26 FOR ALL OTHER INTERESTED PARTIES.

2. MEANWHILE, THE PREVIOUSLY ANNOUNCED NEB SCHEDULE
FOR THE PIPELINE HEARING IS BEING ADHERED TO, I.E.,
PHASE ONE (GAS SUPPLY) IS TO BE ADJOURNED ON NOVEMBER
7 EVEN THOUGH IT WILL HAVE TO BE RESUMED AT A YET
UNDETERMINED LATER DATE TO MAKE UP FOR TIME LOST DURING
THE FIRST WEEK WHEN THE NEB WAS GRAPPLING WITH THE
CROWE CHALLENGE. PHASE TWO (DOMESTIC GAS DEMAND) WILL
COMMENCE ON NOVEMBER 24 AND CONTINUE UNTIL MID-
DECEMBER, WHILE PHASE THREE (CONTRACTS) WILL BEGIN
ABOUT JANUARY 6, 1976.
PORTER UNQTE. KISSINGER

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